

MINUTES OF HAMILTON COUNTY COUNCIL, July 11, 7:00 P.M.

GENERALIZED SUMMARY

VERBATIM DISCUSSION ON TAPE ON FILE IN AUDITOR'S OFFICE

President McKinney called to order the regular meeting of the Hamilton County Council. Auditor Mills called the roll: Brad Beaver, John A. Hiatt, Christine Altman, Rick McKinney, Judy Levine, Meredith Carter and Jim Belden. Auditor Mills declared a quorum.

Everyone stood for the invocation led by Councilor Hiatt and remained standing for the pledge of allegiance.

Councilor Hiatt moved to approve the minutes of May 2, 2001. Councilor Levine seconded motion. Motion carried 7-0.

Councilor Altman moved to approve minutes of June 6, 2001. Councilor Hiatt seconded motion. Motion carried 7-0.

Councilor Altman moved to approve minutes of joint meeting on June 25, 2001 with the Board of Commissioners. Councilor Hiatt seconded motion. Motion carried 4-3 with Councilors McKinney, Levine and Beaver abstaining.

PUBLIC COMMENTS

Mr. Bruce Nekar: Opposes the PSI/Cinergy abatement.

Ms. Chris Aldridge: Favors PSI/Cinergy request for abatement and retooling the Riverwood Power Plant. However Ms. Aldridge does have a concern that Cinergy would sell the Riverwood Plant to a Merchant Plant and the transferability of the abatement.

COMMITTEE / OFFICER REPORTS

President

None

Vice President

None

Highway Committee:

Councilor Beaver reported:

 • Highway committee met Friday and discussed just a couple of additional appropriations on tonight's agenda, these items will be discussed later in our meeting which have received favorable recommendations.

Finance

Councilor Altman:

 • Work session covered what was done by the finance committee and Mike Reuter.

Councilor Altman reported that with the new program that has been implemented for financial reconciliation the Treasurer's office has experienced problems reconciling with the Auditor's numbers due to kinks that had to be worked out within the new program. This has caused the Treasurer's overtime

budget to be exhausted. It is extremely critical to the county that we have these items reconciled at least through June 30th because those expenditure and revenue balances are what is used for 2002 budgeting. Councilor Altman suggested that the council adopt a resolution and request the Auditors office advertise, for the next meeting, an additional appropriation for overtime to assist the Treasurer's office in completing this task because we absolutely have to have these numbers as soon as possible. Councilor Altman moved that we advertise and adopt an additional appropriation at next meeting in the Treasurer's overtime budget for \$10,000. Councilor Levine seconded the motion. Motion carried 7-0.

GIS

ÿ In the past two months we have added Corporate Boundaries, Drains, and Drainage Sheds to the maps on our web site. We have also updated the Street Centerlines and improved the Street Name layer. We are working on adding Buildings and Cemeteries.

ÿ Melissa Dashiell and I attended a meeting with the State Tax Board to discuss their requirements for counties to adopt a new parcel numbering system by January 1, 2003. We feel this would be very expensive and disruptive and in unnecessary to accomplish their goals.

ÿ We have traded in one HP 650C and two HP 755C plotters for three new HP 1055CM plotters. The new plotters are replacements for the Highway Department, the Plan Commission, and the ISS Department. The new plotters are higher resolution and six times faster than the old plotters.

ÿ We are contemplating life after ids. Our contract call for one more updated CD, and we are exploring other possible solutions.

Personnel Committee:

Councilor Carter:

ÿ Committee met on June 21, 2001 with various Elected Officials and Department Heads to lay out plans for next years budget in terms of new personnel. No recommendations were made.

ÿ We've currently received request for 10 new positions in 2002.

Councilor Carter also reported he and Councilor Hiatt had talked to Naomi Williamson who is being vacated from her present facility because the owner is expanding his business and will require the space the Jackson Township Assessor occupies. Councilor Hiatt added that Naomi is looking at a home that is zoned for business and at the present time combining offices of the Assessor and Trustee is not an option.

Miscellaneous

Mr. Jeff Burt, Hamilton County Alliance presented the councilors a packet outlining projects approved through the first six months of 2001. The projects will collectively add approximately 680 jobs and \$600,000 in taxes.

Kent Ward, County Surveyor: At the last meeting the council asked me to look at the water balance being proposed by PSI/Cinergy's repowering of their Riverwood Power Plant. Rick Durham, my staff engineer, and I met with PSI representatives two or three times, we sent faxes and emails back and forth a number of times, they provided us with the information we asked for and basically that was the pump rates and water balances PSI had come up with so that we could review their figures. To recap, presently PSI/Cinergy's taking in from White River 68.4 million gallon a day and returning back to the river 57.1 million gallon per day which is a 11.3 million gallon a day loss. These loses are due to the coal handling system, the ash removal system, the coal boilers, the steam turbines, the cooling tower and evaporation. Under the repowering plan the water loss from the coal handling and ash removal systems and the coal boilers will be eliminated. The new plant will utilize a closed cycle water system and a new cooling tower using some of the latest technologies. The intake from the river initially to charge the plant will be 7.3

million gallon. That is to charge the system, after which it's a closed system but they do need to recharge that system for losses that do occur during the process. The recharging will be at a rate of 3.3 million gallon a day. That also will return to the river 1 million gallon every day and then the loss that PSI figured is 2.3 million gallon a day. Ours is different, we figured 2.2 million gallon a day. So we have 100,000 gallon difference there. We also took a look at the subject of a well which was brought up. The drainage board allowed me funds to hire Professor Olyphant who's a professor of geology down at I.U. He did a study of the area and found that the bedrock in the Riverwood area is 25' below the surface. That then means all the wells in Riverwood are bedrock shallow wells with the water being drawn from the weathered or upper zone of that limestone. He did three different scenarios, with the time constraints being involved and not being able to drill a test well to draw test and so forth we had to rely on the information available to us from USGS and other sources like Division of Water down at the DNR and so forth. All three of the scenarios he came up with are not good. The capture zone of the well, the capture zone being the surface area that would draw down to the cone or the bottom of that well to draw up. The first scenario would extend one to three miles from the plant and over a five year period would draw down the wells in the area from 27' to 59' which means the area within that draw zone would be getting new wells. The second scenario and he dubs this the probable case is multiple wells which would average draw down anywhere from 30' to 80' and the capture zones would extend anywhere from 3/4 to 2 1/2 miles. The third scenario would be a deep water well, drilling into the bedrock 300' would be the draw down and the capture zone would be about 1 mile. So his conclusion was that a well in area is not feasible. That is what I have, if you have any questions, I know that's the quick and dirty of it. Councilor Levine- So you concur that the water usage with the retooling will be less? Kent Ward- From the information available from PSI, looking at all their data, we do. Councilor Beaver- Kent can you go back one more time? The existing plant takes in how much? Kent Ward- They currently draw 68.4 million gallon a day. Councilor Beaver- Put back what? Kent Ward- 57.1 million gallon. Councilor Beaver - So they're using 11 million. Kent Ward - Correct. Councilor Beaver- And with the retooled plant, what would be the in and out? Kent Ward- The in would be 3.3 million gallon a day and returning to the river 1 million gallon. Councilor Beaver- So they're losing 2. Kent Ward- 2.3. Councilor Beaver- And that's if both plants were operating in a 1 24 hour day. Kent Ward- Correct. Councilor Beaver- The old plant and the new plant, so the old plants losing 11 million gallons a day and the new plant proposed would be 2 million a day. Kent Ward- Correct. Councilor Beaver- Ok. Thanks Kent, I appreciate you putting that effort out in the last 30 days.

Councilor Altman moved to untangle PSI/Cinergy's request for an abatement. Councilor Levine seconded the motion. Motion to untangle carried 7-0.

Councilor Altman discussed the issue concerning who would be entitled to utilize the energy produced at the plant. She noted that in addition to petition and statement of benefits and representations that PSI Energy agreed to provide power first to the Hamilton County area. Mr. Dan Ziegler, Project Manager for the proposed Noblesville Repowering Project addressed the council and stated, "We do make the commitment that the first call power, the power that's generated by that plant would come to a first call for the native load customers here in the Noblesville and Indiana area". Councilor Altman- And would be consumed first by Hamilton County residents? Mr. Ziegler- Yes. Councilor Altman- Are you willing to amend your statement of benefits to include this representation? Mr. Ziegler- Yes. Councilor Altman- Then I would make a motion to council that we accept the statement of benefits as amended by PSI tonight and further that we grant their request for the 10 year abatement that will be subject to an annual review because PSI/Cinergy will have to make the request on an annual basis. Included in that motion is the understanding that we are retaining a majority of the jobs that would be lost should this plant shut down. We will have a significant capitol improvement and even during the 10 year abatement period we will be collecting more property taxes from this facility alone than we are now. Councilor Levine seconded the motion. Councilor McKinney- I appreciate the work Kent Ward did and believe the these last 30 days have given us time to do additional due diligence and I look forward to both their commitments for less noise generated by the plant, the additional power and less water usage. Councilor Beaver- I appreciate what Kent did of course, and the commitments that Councilor Altmans spelled out and so I'm ready to grant these guys an abatement. I have a couple questions I was going to ask Bob Campbell he's not here with us tonight. Daphanee is. Is there any movement on the Holiday Hydro-Electric Plant? Daphanee Hoppes, Station manager of Noblesville plant- I talked to Historic Landmarks and the ball is still in their court. Just like a month ago, Cinergy is ready to sign on the dotted line. Historic Landmarks Foundation of

Indiana is who the Hydro will be donated to and then they will make the agreement and whatever they do with their plan with Noblesville Preservation Alliance. It's in their hands right now and they are actively working that issue and working with NPA.

Councilor McKinney called the question, All in favor of the abatement request? Motion carried 7-0.

Councilor Belden wanted to compliment the Finance committee for all their work and what Mr. Reuter did and the good report we received this evening.

ADDITIONAL, TRANSFER, REDUCTIONS, AND AMEND FORM 144

Councilor Altman moved to approve additional request of \$568 for line item 101.015.000.3821 Consultant-Reuter. Councilor Hiatt seconded motion. Motion carried 7-0.

Councilor Altman moved to approve additional request of \$4300 for line item 101.018.000.1407 Court Administrator overtime. Councilor Belden seconded the motion. Motion carried 7-0.

Councilor Beaver moved to approve additional request of \$7,590 for line items 101.024.000.3004 Radio & Recorders, 3301 Telephone, 3302 Electric, 3304 Water & Sewage, 3308 Other Utilities, 3309 Natural Gas, 3713 Contractual Services, 4007 Copier Emergency Management. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Hiatt moved to approve additional request of \$92,000 in line item 101.027.000.1407 Jail overtime. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$20,000 in line item 101.037.000.1407 Sheriff overtime. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$1,200 in line item 102.000.000.2018 Highway lumber. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Levine moved to approve additional request of \$25,000 in line item 102.000.000.3107 Highway drain repairs. Councilor Hiatt seconded the motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$4,000 in line item 102.000.000.4016 Highway Culverts, Pipe & Tile. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$84,000 in line items 354.000.000.2004 Supplies, 354.000.000.3713 Contractual, 354.000.000.4022 Bldg/Structures of Park NR Operating. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Altman moved to approve additional request of \$8,000 in line item 357.000.000.3713 Contractual of Parks NR Donation Fund. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Altman moved to untable Ordinance No. 5-29-01.B, Employee Handbook Amendments. Councilor Levine seconded motion. Motion to untable carried 7-0.

Sheena Randall, Human Resources Manager discussed changes made to Ordinance 5-29-01

.B as a result of the joint meeting held June 25, 2001 between Councilors and Board of Commissioners.

ÿ Changes made on page 2: Section 1, sub-section A & B

ÿ Change made on page 6: Section 5.4, sub-section 1

Councilor Levine moved to approve Ordinance No. 5-29-01.B, An Ordinance Of The Board Of Commissioners Of Hamilton County Amending The Employee Handbook For Employees Of Hamilton County, Indiana. Councilor Altman seconded the motion. Motion carried 7-0.

ANNOUNCEMENTS

Councilor Beaver asked that the revised job description for the Grant Administrator position be put on the August Council Meeting Agenda.

Auditor, Robin M. Mills

• Requested the Council untangle Resolution 6-06-01.2 Solid Waste Coit Distribution and deny those funds. After speaking with Mike Reuter, Household Hazardous Waste will not need these monies.

• In your packets is a tax abatement request which is before the City of Carmel for final resolution. Once approved by Carmel the request will be before the County Council.

Councilor Beaver moved to untangle Resolution 6-06-01.2 Solid Waste Coit Distribution. Councilor Levine seconded the motion. Motion to untangle carried 7-0.

Councilor Beaver moved deny the Solid Waste Coit Distribution. Councilor Levine seconded motion. Motion carried 7-0.

Councilor Beaver asked the councilors to read the Aviation Board letter he copied to them at their earliest convenience.

Commissioner Steve Holt: Mr. President, I've been trying to get your attention, I note that over the past few months you have pointed out that it would be nice if a commissioner came to Council meetings to field questions that might come up and I'm here at Sheena's request and I note that the council doesn't want to take the Exempt Employee issue off the table but it does continue to leave us open and exposed and potentially in harms way which is why we took off on hiring at some great cost, consultants to do something. If anybody has an interest in talking with me after the meeting, I'd love to talk to you about why it ought to come off the table so we could have a discussion on moving along with that ordinance. Councilor Levine- Why did you choose to go against the recommendations of the agency we hired to make these decisions for us on three people. Commissioner Holt- Is the hesitancy of the Council to pass the ordinance the three people? Councilors Levine, Altman, McKinney, Beaver- Yes. Commissioner Holt- It leaves the balance of the county in limbo when you do that. Councilor Levine- Well the balance of the county heads of departments and office holders and everybody else that feels they are important and they put a lot of overtime in and they have been made exempt, why should those three individuals be singled out special. Commissioner Holt- Because their industry singles them out specially. Councilor Altman- But we hired a firm that has background in this process and it seems to me that if we start again listening to the elected officials that are lobbying for their individual employees or department heads we are back to the same position that we were in before we went through the time and expense to hire a consultant and that is a major concern. Councilor Levine- I also questions this letter from the highway firm #1, firm #2, firm #3, firm #4, firm #5, is that suppose to mean something to me? Commissioner Holt- I don't know. Councilor Levine- What firms are they talking about? Commissioner Holt- I don't know. But I do know that if the ordinance in the form that it was was passed making those three individuals exempt that they would immediately receive a 6.7% reduction in compensation and I don't think that's what our intention is with what we've got going on in the engineering department of the Highway is to take three people that are seasoned, that are doing an excellent job, and give them a pay cut. It just defies logic. Councilor McKinney- Because they won't receive overtime pay? Commissioner Holt- Because they won't receive overtime and we've got these guys chained to their desks so we can keep up with the work load. Councilor McKinney- Well then something needs to change then so they don't have to work that overtime. Councilor Levine- We don't think people should have to work 60 hours a week continuously, there's something wrong there. Commissioner Holt- I don't think they're 60 hour a week employees, but if they become exempt and the work needs to be done it's a little hard to explain to your family why your working overtime when you just had a pay cut. Councilor Levine- Would you like to explain it to Dawn here that is sitting here for hours on end and other meetings at our pleasure and doesn't get paid for it? Would you

like to explain to her why she's exempt and they are not exempt. Councilor Beaver- We have other department heads that have these exempt employees to Steve, it appears to us whether intentionally or not that three highway engineers were cherry picked out of the county employee masses that they were special and the rest aren't. Councilor Levine- Can you explain it Kent back there because he's got engineers that are important, explain it to BJ because she has people in her department. Commissioner Holt- I just spoke with Kent about it and he thinks it sends the wrong message and I understand why he believe that but his engineers aren't working overtime. So if we're going to do it then I guess we need to talk about who's gonna pick up the work load and I don't think that's particularly efficient. Councilor Levine- We tried to bring everyone up to the salary level they should be at so they wouldn't have to work overtime to make the money they should be making, so they can spend some time at home with their families. Commissioner Holt- Ok, so who's going to do the work? Councilor Levine- Oh you don't have enough employees if there's nobody to do the work. Commissioner Holt- So your direction is that we should figure out what the proper staffing needs are? Councilor Levine- Come back to personnel and let's talk about it. Commissioner Holt- Ok. Alright. If that's how the majority of the council feels and I guess it is from the nodding heads I see up there. Councilor Levine- We worked a year, year and an half in personnel with this company to come out with an equitable plan. Councilor Altman- We could remove it from the table, pass the version with the amendments as presented in our packet without the three exempt positions and then the commissioners could choose to revisit at their next meeting two weeks from last meeting on Monday and determine whether they want to join with and that would get the ball moving. That is an option. I would move to move the tabled ordinance from the table. Councilor Hiatt seconded. Motion carried 7-0.

Councilor Altman moved to approve ordinance 5-29-01.C as submitted to us in our packet with the three engineers as exempt employees then leave it in the hands of the commissioners how they choose to deal with it. Councilor Levine seconded the motion. Councilor Beaver- If we pass the ordinance as you proposed, can those be changed from exempt back to non-exempt by commissioners mandate only. Councilor Altman- As I understand the Employee Handbook it takes joint action of the Commissioners and Council to effectuate the change so even our passage of this as I've suggested will not effect the exempt status unless the Commissioners take action. Motion carried 6-1 with Councilor Belden voting against.

Councilor Holt- Thank you because that moves it along, the table was the wrong thing to do.

Meeting was duly adjourned.

President
Auditor

Those present:

Kate Lewis- Daily Ledger Dep Dir, Emergency Mgmt	David Bice-
Debi Bice- General Interest	Stu Hirsch- Star
Jerry Schwier- SHPOA Power Plant Human Resources	Sheena Randall-
Larry Stout- ISS Greene- Health Department	Carol

BJ Casali- ISS

Julie Crask- ISS

Polly Pearce- Court Adm
Cinergy/PSI

John D. Proffitt-

Maurice St. Louise- Asst Jail
Clare resident

Bruce Nekarr-

Christine Aldridge- Cinergy/PSI
Abatement

Kirk Demaree- Cinergy

Bob Hendricks- Director EMA

Daphanee Hoppe- Cinergy/PSI

Barry Kress- Cinergy/PSI
Cinergy/PSI

Dan Ziegler-

Gregg Scott- Cinergy/PSI
Cinergy/PSI

Bill Petranoff-

Jackie Brown- Fishers Resident

Robert Naomi- Cinergy/PSI

Bill R. Brown- Fishers Resident

Dennis Maloy- HCA

Jeff Burt- HCA
Cinergy/PSI

Debra Brown-

Allen W. Patterson- Parks Dept

Kent Ward- Surveyor

Susan Miller-Star